

ASSEMBLY BILL

No. 13

**Introduced by Assembly Member Chávez
(Coauthor: Assembly Member Melendez)**

December 3, 2012

An act to amend Section 68075.5 of the Education Code, relating to postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

AB 13, as introduced, Chávez. Nonresident tuition exemption: veterans.

Under existing law, the segments of the public postsecondary education system in the state include the University of California, which is administered by the Regents of the University of California, the California State University, which is administered by the Trustees of the California State University, and the California Community Colleges, which are administered by the Board of Governors of the California Community Colleges.

Existing law exempts a student who was a member of the Armed Forces of the United States stationed in this state on active duty for more than one year immediately prior to being discharged from paying nonresident tuition, as specified.

This bill would eliminate the requirement that a student be stationed in this state to receive that exemption, and would require the student to be discharged within the immediately prior year in order to receive the exemption. To the extent the bill would require community college districts to exempt more students from nonresident tuition, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 68075.5 of the Education Code, as
2 amended by Section 1 of Chapter 405 of the Statutes of 2012, is
3 amended to read:

4 68075.5. (a) Except as provided for in subdivisions (b) and
5 (c), a student who was a member of the Armed Forces of the United
6 States ~~stationed in this state on active duty for more than one year~~
7 ~~immediately prior to being discharged~~ *who was discharged within*
8 *the immediately prior year* shall be exempt from paying
9 nonresident tuition for the length of time he or she lives in this
10 state after being discharged up to the minimum time necessary to
11 become a resident.

12 (b) (1) Except as provided for in subdivision (c), a community
13 college student who was a member of the Armed Forces of the
14 United States ~~stationed in this state on active duty for more than~~
15 ~~one year immediately prior to being discharged~~ *who was*
16 *discharged within the immediately prior year* shall be exempt from
17 paying nonresident tuition for up to one year if he or she files an
18 affidavit with the community college stating that he or she intends
19 to establish residency in California as soon as possible.

20 (2) The ~~one-year~~ *one-year* exemption provided in paragraph (1)
21 shall be used while the student lives in this state and within two
22 years of being discharged.

23 (c) A former member of the Armed Forces of the United States
24 who received a dishonorable or bad conduct discharge shall not
25 be eligible for an exemption pursuant to this section.

26 SEC. 2. If the Commission on State Mandates determines that
27 this act contains costs mandated by the state, reimbursement to
28 local agencies and school districts for those costs shall be made

- 1 pursuant to Part 7 (commencing with Section 17500) of Division
- 2 4 of Title 2 of the Government Code.

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